

REMARKS

Claims 1-15 were originally presented in the subject application. Claims 1-15 were cancelled and claims 16-47 added in a Response dated August 4, 2004. Claims 16, 20, 28, 33, 34, 36, 40, 41 and 47 were amended in a Preliminary Amendment filed April 8, 2005, with a Request for Continued Examination. Claims 21, 37 and 44 were canceled without prejudice, and claims 16, 19, 28, 32, 34, 35, 41 and 42 amended in a Response dated October 27, 2006. Claims 16, 22, 25, 33, 34, 40, 41 and 45-47 were amended in a Response filed May 9, 2007, with a Request for Continued Examination.

Claims 16, 33, 34, 40, 41 and 47 have herein been amended to more clearly point out and distinctly claim the subject invention. No claims have herein been canceled or added. Therefore, claims 16-20, 22-36, 38-43 and 45-47 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the common amendment to independent claims 16, 33, 34, 40, 41 and 47 can be found in the specification at, for example, page 4, lines 11-14 and 19-22, and page 10, line 25 to page 11, line 6.

Applicants appreciate the telephone interview granted to the undersigned representative on June 13, 2007. The amendments herein reflect the discussion.

Applicants respectfully request entry of these amendments and remarks, and reconsideration and withdrawal of the various grounds of rejection.

35 U.S.C. §102 Rejection

The final Office Action rejected claims 16-20, 22-30, 32-36, 38-43 and 45-47 under 35 U.S.C. §102(b), as allegedly anticipated by Beuk et al. (U.S. Patent No. 5,446,266). Applicants respectfully, but most strenuously, traverse this rejection as it applies to the amended claims.

Amended claim 16 recites a method of controlling card holder verification. The method comprises checking the presence of a trusted association between at least one device and a card

usable with the at least one device, wherein the checking comprises comparing by one of the card and the at least one device a first identifier stored on the card with one or more identifiers stored in the at least one device. The method further comprises that, if the checking indicates the presence of the trusted association, then performing card holder verification separate from the comparing using the card and without involving a holder of the card by providing another identifier to the card from the at least one device for comparing by the card to a second identifier stored on the card that is different from the first identifier. The method further comprises that, if the checking indicates no trusted association, then involving the holder of the card in performing card holder verification by the card.

Applicants submit Beuk et al. does not provide, for example, an identifier to the card; rather, a code is read *from* the card. Further, as another example, Applicants submit Beuk does not disclose, teach or suggest performing card holder verification by the card.

Therefore, Applicants submit claim 16 cannot be anticipated by or made obvious over Beuk et al.

Amended claims 33, 34, 40, 41 and 47 each contain limitations related to those noted above with respect to claim 16. Thus, the remarks above are equally applicable thereto.

35 U.S.C. §103 Rejection

The Office Action rejected claim 31 under 35 U.S.C. §103, as allegedly obvious over Beuk et al. in view of Sloan (U.S. Patent No. 6,179,205). Applicants respectfully, but most strenuously, traverse this rejection.

Claim 31 depends directly from claim 30 and ultimately from claim 16, and refers to the controlling in claim 30.

Applicants submit that claim 31 is allowable for same reasons set forth above with respect to claims 16, as well as for its additional limitations. Sloan fails to remedy the shortcomings of Beuk et al. noted above with respect to claim 16.

In addition, Applicants maintain the arguments set forth in the Appeal Brief and in the prior response regarding Sloan.

Therefore, Applicants submit that claim 31 cannot be rendered obvious over Beuk et al. in view of Sloan.

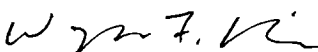
CONCLUSION

Applicants submit that the dependent claims not specifically addressed herein are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly request entry of these remarks and allowance of claims 16-20, 22-36, 38-43 and 45-47.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



Wayne F. Reinke
Attorney for Applicants
Registration No.: 36,650

Dated: June 14, 2007.

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579